

(Continued from Page 3)

The arguments of attorneys to the jury in the Paul Flax murder case occupied the entire forenoon session of the district court today.

Both the defense and prosecution had introduced all of the evidence late yesterday afternoon when the court declared recess until 9 a. m. this morning. Assistant District Attorney Flannigan opened the argument for the prosecution and was followed by Attorney W. P. Miller, defendant's counsel, who occupied the floor for an hour. District Attorney Williams closed the arguments for the prosecution, after which Judge Dean gave instruction of the court to the jury and it was exactly 12 o'clock when the jury retired from the court room, and shortly after returned a verdict of guilty of murder in the first degree and fixed the penalty at life sentence.

The case of the Territory vs. Elito Hernandez indicted by the grand jury for the crime of assault, was dismissed on motion of District Attorney Williams.

Ter vs. Wyatt, charge of forgery, on motion, defendant withdrew plea of not guilty and entered plea of guilty. Sentence 9 a. m. tomorrow.

Talbot vs. Parrot continued for term.

Lindley vs. A. & M. Dev. Co., reset for June 9, 1912.

Boggs vs. Pidgeon continued for term.

Roemer vs. Arizona & Michigan Dev. Co., dismissed on motion of plaintiff.

Pidgeon vs. J. W. Wood et al., dismissed on motion of plaintiff.

State Consolidated Publishing Co. vs. Consolidated Printing and Publishing Co., judgment for plaintiff.

FRIDAY

The empanelling of the jury in the case of the territory vs. L. S. Herr occupied most of the afternoon yesterday. The defendant was indicted by the grand jury for a crime against nature.

The following jury was selected to try the case yesterday before the court took recess until 9 a. m. today:

Sam Morgan	Ollie Phillips
Jack Pirtle	Ed Hussen
L. M. Brown	Percy Caldwell
A. T. Schuster	Roy Freeman
Sam Bradner	Carl Smith
Chas. Mannie	C. L. Blackburn

The case was still on as we go to press.

Paul Flax was sentenced to life imprisonment for murder of James Schuman, the jury having fixed the penalty.

T. R. Wyatt was sentenced to 2 years imprisonment on charge of forgery, the prisoner having entered a plea of guilty.

Ter vs. McDaniels, charged with assault, entered plea of guilty and was fined \$100 which he paid.

The case of the Ter vs. O'Hare and Ter vs. Hughes were continued for the term.

The case of Lacy vs. Lacy, for divorce, on motion permission was given to withdraw certificate of marriage upon filing a certified copy.

S. P. Copper Co. vs. Landston and Still, default entered and judgment for plaintiff.

Leard vs. Leard for divorce; judgment for plaintiff.

Trial jurors E. Magoffin and Howard Barkell were excused for the term.

The following cases were dismissed on motion of the district attorney:

Ter vs. Brown; Ter vs. Letich; Ter vs. Griener.

In the case of the Ter vs. Brown and Gibson, bond exonerated as to defendant, Brown.

The following civil cases were disposed of yesterday:

Kohlberg Bros. vs. Geo. Roberts, debt, judgment for plaintiff.

Houch & Dieter vs. Geo. Roberts, debt, judgment for plaintiff.

Hiram Rose vs. Arizona and Michigan Development Co., et al., on motion of defendant, order appointing receiver was removed.

Bank of Benson vs. A. J. Pidgeon, Johnson, Dragoon and Northern rail-

road, et al., for debt, judgment for plaintiff.

Joseph Muheim and B. Carotto vs. Frank Payle, judgment for plaintiff.

Bisbee Lumber Co. vs. G. J. B. Hble, debt, judgment for plaintiff.

E. Marks vs. W. J. Eddleman, debt, judgment for plaintiff.

Edna M. McGuire et al. vs. Bisbee Light and Power company, debt, reset for Jan. 19 on motion of plaintiff.

The following cases were reset for January 17:

Ben Goldman vs. J. A. and J. C. Quinn for debt.

J. H. Huntman vs. Joseph Jose, for debt.

W. E. Stouner vs. California and Paradise Consolidated Mining Company, for debt.

The following cases were reset for January 18:

Wm. R. Hearst vs. Byron M. Patterson, appeal from justice court.

Ter vs. three calves, Hasselgreen seizure case, appeal from Justice court.

Norton Morgan Co. vs. George G. Mass, et al., action for return of stock.

Much Confusion

Over Japanese

Believing that the Ray Consolidated Copper Company is arranging to replace all Mexicans in its concentrating plant with Japanese, laboring men at Ray and Hayden have been threatening to start a race war. Several desperate mobs have been dispersed by the peace officers. It is believed, however, that the danger is now past and that there will be no violence. The Phoenix Democrat says: "Denial that the Ray Consolidated has any such intention, or could secure the necessary number of Japanese if it desired to employ them, has been made."

"R. Oya, who owns a store at 123 East Jefferson street, this city, took eight Japanese to Hayden to work in the concentrator and was in the thick of the recent trouble that have shaken the mining camps. He returned last evening, however, confident that there is no likelihood of his countrymen meeting with violence, although on Tuesday evening, a body of armed men called upon them and ordered them to leave the district."

"Several small mobs were formed. They met on the streets of Hayden and Winkelman, and the leaders made impassioned harangues to their followers. The peace officers broke up several gatherings."

Not Canvassing

Precinct Ballots

Advice received from Phoenix state that in the official canvass at the capital building, no count is being made of the precinct ballots, since no election of precinct officers was called in Governor Sloan's proclamation. This being the case, it is stated that the present precinct officers will continue in office unless they choose to resign. In that event the appointive power is believed to rest with the board of supervisors who may appoint whomsoever they choose to hold office during the unexpired term.

Colonel Greene's

Will is Probated

A Los Angeles dispatch says: "The will of the late William C. Greene, known as the 'mining king' of Cananea, Sonora, Mex., who died in Cananea on August 5 last, has been filed for probate here. Col. Greene directed that all his property, personal and real be given to his wife, Mary Proctor Greene."

The petition accompanying the will gave the value of the property in Los Angeles at \$50,000, but placed no estimate as to the worth of the entire estate.

The will is dated November 26, 1910. Mrs. Greene is named as executrix without bond. Colonel Greene, however, recommending that if she desires to dispose of the mining property she is guided by the advice of James H. Kirk, a lifelong friend of Colonel Greene.

Joe Blumberg, a Williams merchant, has evolved the system of finding every person who uses profanity in his place a dime. It works well and Mr. Blumberg is busy taking care of the silver.

And Now, Who

Will be Speaker?

The question of who will be the speaker of the first Arizona legislature has been attracting more or less attention since the election last month. Until the delegation from this county has decided upon the man whom they will support for speaker, there can be no aggressive fight made for the position by anyone. Those who are understood to be desirous of being put forward for the speakership by this county, are Captain C. B. Kelton of Courtland, Judge Duncan of Tombstone, Dr. Craig of Bisbee; and S. B. Bradner of Benson.

Canvass of Votes

Progresses Slowly

The canvass of votes at the capitol has now proceeded to the conclusion of the Cocconino county poll. Apache, Cochise and Coconino are now completed. Contests have been filed with the canvassing board over the treasurer'ship in Santa Cruz, the senator'ship in Greenlee and the district attorney'ship in Coconino. It is not known yet whether this will delay the final count.

Arizona's First Mem-

bers Select Secretaries

Private secretaries have been selected by Arizona's first three members of congress, according to reports. Senator Mark Smith will have as his confidential man, Paul R. Krueger, of Phoenix, and Senator Henry F. Ashurst has chosen James Pitts, a popular Tempe youth. Congressman Carl Hayden has selected Andy Martin, one of the best known young men in Tucson. Applications for these places have been numerous, and the fortunate ones have good cause for congratulation.

Cameron to Seek

Pardon for Hanks

A Washington dispatch says: "Delegate Cameron and Mrs. Cameron have arrived here. Mr. Cameron called at the department of justice, and on his request, L. C. Hanks, one of the prisoners at Florence who was ordered removed to Atlanta, will stay there, pending an application for pardon."

Alexander Sneed

Passes to Beyond

At 9:30 on the evening of January 9 at Phoenix the soul of Alexander Sneed peacefully passed away to the eternity after an illness of about two weeks.

The deceased was engaged in the mercantile business in Tombstone until last June when he closed out his business interests here and left for Phoenix, with his mother.

Although an invalid, the deceased had an active mind and a shrewd business head and directed the business affairs of the Sneed Bros. establishment here for several years. He was a native of Texas and aged about 36 years. He leaves to mourn his death a mother, two brothers, and a large circle of friends and distant relatives. Interment was had in Phoenix yesterday afternoon at three o'clock.

The PROSECUTOR extends heartfelt sympathies to the bereaved family in their dark hour of sorrow.

Eugene Shute, city marshal of Globe has resigned. This action followed a dispute with the councilmen over discharging a member of the constabulary.

At Prescott the fire department had a long run last week because a small boy mistook the alarm box for one of Uncle Sam's mail depositaries, and in attempting to put a letter therein, turned in the alarm.

Designs are being prepared for a \$20,000 building for the state insane asylum.

Assessors' Ass'n

Elects Officers

Assessor Chas. R. Howe, Assessor-Elect Ed Hughes and Deputy H. S. Rose returned today from Bisbee where they have been in attendance at the meeting of the Arizona Assessors' association. A very fruitful session was had and several important recommendations made to the first state legislature, synopsis of which were published in these columns. The new officers elected for the year 1912 are as follows:

T. E. Campbell of Yavapai county was re-elected president of the association; George E. Truman, of Pinal county, vice president and E. A. Hughes, of Cochise, secretary and treasurer. The next annual meeting will be held at Yuma on the second Monday in January 1913.

SOME LAWS RECOMMENDED

To replace the present board of equalization with a tax committee composed of three members, which committee would receive a salary of \$2500 for each member and be in session all the time.

To raise the assessment on cattle from \$10 to \$12.50.

To raise the tax on bullion from 25 percent of the gross to 40 percent of the gross.

Founder of Anti-Sui-

cide League in Arizona

Ferdinand L. LeMoine, who asserts that he is founder and president of the Anti-Suicide League of America, is in Phoenix seeking live members for a branch organization in that city. LeMoine lives at New Orleans. He is on the way to Los Angeles, San Francisco, Portland and other of the larger cities of the coast.

LeMoine contends that there is nothing novel about his plan to involve an organization that shall have for its object the suppression of suicidal tendencies.

PROBATE COURT

Estate F. E. Hilburn; order directing posting notices of application of J. R. Hilburn for letters of admin. Jan. 20, 1912, 10 a. m. day hearing petition.

Estate Edward Carlson; Feb. 8, 1912, 10 a. m. day hearing, to show cause why order of sale of real estate should not be made.

Estate and guardianship Elicks minors; Jan. 22, 1912, at 10 a. m. day appointed for hearing return of sale of real estate by Robert B. Sims, guardian.

Another Applicant

For Mine Inspector

The Douglas papers state that Charles Hansen, well known in mining affairs in Sonora and Arizona, is an applicant for the office of mine inspector when that position shall have become accessible through statehood.

Editor Who "Makes

Good" Despite Handicap

Geo. H. Allen, who was recently employed as news editor of the Daily Globe, has left for his home in Warren, Arizona. Mr. Allen is deaf and dumb, but despite his infirmity he is one of the best newspapermen in the country. His ability to display news to the best advantage is proverbial amongst newspapermen of the southwest as well as those of the large newspapers of Chicago and its vicinity. Not only is he one of the most deft head writers in the country, but his editorial writings are unexcelled in the southwest. He leaves Globe with the best wishes of all who have come in contact with him during his stay in this city.—Globe Silver Bolt.

Car Arrives to Trans-

port Federal Prisoners

A car, which to a certain extent resembles a steel cage has arrived in Arizona for use in transporting federal prisoners from Florence to Atlanta and from its appearance, it is said, a Hercules could not escape from its confinement.

From Thursday's Daily

Undersheriff A. A. Hopkins returned on the noon train today from Douglas where he went yesterday on official business.

A new assessment order has reached its high head in Globe, and Globe Pack Wolves No. 1 is fast gaining membership. The bounty on wolf scalps can not be made to reach them.

R. C. Brown, the veteran newspaper man now with the Review, returned to Bisbee today after a brief visit at the county seat.

J. J. Newell of Naco was a brief county seat visitor today.

Trustee A. L. Grogan of the T. C. M. Co. bankruptcy, returned home from Phoenix today where he went on matters connected with the local company affairs.

B. Meyer, the merchant prince of Benson was in Tombstone today on a business visit.

Attorneys J. M. O'Connell, W. B. Cleary, Geo. Neale and Alexander Murray are Tombstone visitors from Bisbee today on matters before the court.

E. Marks, the popular Bisbeeite was in Tombstone today and greeting his many old Tombstone friends.

Attorney A. F. Parsons of Douglas was an incoming passenger today on court business.

Attorney Francis M. Hartman of Tucson is in the city on court business.

Wm. Deckeraw the well known mining man was in Tombstone today shaking hands with local friends and acquaintances.

A sample of this Arizona weather exhibited in Chicago would start a mighty migration this way.

Santa Fe Exempt

From Taxes on Line

Word was received from Washington that the decision of the supreme court of Arizona in the case brought by the tax collector of Coconino county against the Grand Canyon railroad company had been affirmed by the supreme court.

This is the finale of a long legal battle which has been waged through the gamut of courts for a number of years. The road from Williams to the Grand Canyon was built by a small corporation and, at the time, the territory granted them exemption from taxation. After facing the vicissitudes of Arizona railroad for a number of years, the builders failed and sold out to the Santa Fe. An attempt was made at once to tax the line, the county arguing that the exemption died with the dissolution, but the supreme court held otherwise.

This suit applies to back taxes. The exemption in question has now expired and the road is on the tax roll.

Smallpox Epidemic

On the West Coast

A Nogales dispatch says: "Smallpox of a type that claims many victims is raging along the west coast of Mexico, Guaymas and Mazatlan have been quarantined."

The disease is said to have broken out at Hermosillo and Culiacan, capital of the state of Sinaloa. Government officials are making vigorous efforts to stamp it out.

Welsh Receives

Fourteen Years

James Welsh, who shot and killed George Ross in a saloon in Miami, was found guilty at Globe and sentenced to 14 years in the Florence penitentiary.

Ross was one of the best known miners in the southwest. He was a man of marvelous strength, and, with the McEvoy brothers, held the world's record for sinking a shaft 100 feet.

Welsh is a native of Arizona, having passed his childhood in Tombstone and was known all over the territory, but especially in Gila and Cochise counties. His many acquaintances in Tombstone were surprised, and regretted to learn he had become involved in such serious trouble.

From Friday's Daily

It is likely the present panel of jurors may be excused tonight or tomorrow, as the present cases set having been passed upon and should other cases requiring a jury arise, it is likely a special venire will be issued.

Deputy Assessor H. S. Rose returned to Bisbee today and while away he will be initiated into the mysteries of Moesodon.

Miss Abbie Holland left for Bisbee today on a visit to relatives and friends.

C. A. Taylor, of Douglas, who is serving as a juror found sufficient time the other day to take a little hunt. He went out several miles from town and returned with a fine specimen of bobcat as a trophy of his marksmanship. The animal was killed with a shotgun. The hide was presented to assessor Howe, who prizes it for an attractive thing, besides furnishing evidence, if need be, of the effective aim of the genial donor.

Gus Heyman, than whom there is no commercial traveler who is better known in Arizona, is reported as ill in the hospital at El Paso, having recently undergone an operation for appendicitis.

Mrs. E. P. A. Larrien of Turner, was a Tombstone arrival today on a visit with friends.

Henry Hall of Bisbee was an incoming passenger today on court business.

Chas. Wiles returned to his home at Lowell today having been excused from service as juror.

Mrs. Bright, of Courtland, the wife of Constable Bright of that city, is improving following the operation for appendicitis at the Copper Queen hospital several days ago. It was stated yesterday that indications pointed to a rapid recovery to health.

Arthur G. Lewis, colored, was bound over to the grand jury under charge of perjury, before Justice McFarland yesterday. The charge grew out of testimony given in the Flax murder case and in default of bail the defendant is in jail.

Sheriff White, Wm. Biggs and Lon Soarr returned this morning from Florence where they delivered four prisoners to the prison authorities.

Railroad Officials

Visit Tombstone

The party of distinguished southwestern railroad officials, including over twenty traveling freight and passenger agents and general agents, arrived in Tombstone in three special coaches this afternoon for a brief visit. The officials are General Traffic Manager Brown, General Freight and Passenger Agent Eugene Fox, Assistant General Freight and passenger agent Garnett King, Traveling Freight and Passenger Agent Mustain, and General Agent Richard Warren, of El Paso, and are making a brief tour of the southwest.

Much disappointment is expressed that the party could not remain longer to view the historic city and interesting sights about town.

The party remained about 30 minutes and continued to Tucson.

The distinguished railroaders, however, under the guidance of the genial Garnett King, found time to visit the Prisoner's office and take a peep into the sanatorium of this great family journal and gaze upon the marvels of metropolitan journalism and evolution of the office towel.

Contractor Moves

Camp Near Tucson

M. E. Gilbert, one of the contractors of the El Paso and Southwestern extension, has moved his camp to its new site on the Vail grade. This is the first camp to be located close to the railroad terminal.

New Course at the

Arizona University

Next fall there will be opened a new course at the University of Arizona at Tucson, termed the "school of commerce." It will cover two years and is intended to complete business training after scholars leave the high schools.

Newsy Notes From

Fort Huachuca

HUACHUCA, Ariz., Jan. 10, 1912.—The sixth regiment are under orders to leave for their station at Fort Des Moines, Iowa. They will be relieved by the fourth cavalry from Fort Bliss, Tex., who are now marching from that place, and are expected to arrive at Fort Huachuca about the 15th inst. The sixth will be transported to Iowa, in three sections, as the troops have been fitted to 100 men to each troop. This has been done on a recent order of the secretary of war as an experiment. Two squadrons are expected to entrain the latter part of this week while the third squadron will await the arrival of the fourth.

The new S. P. depot has been completed and is occupied by the new agent, who, by the way is an "old timer," Fred Case. The depot is an elaborate affair, and is the best, it is said, on the system between Pomona and El Paso for a small station. For which all Huachucaites are thankful. Today the three old box cars that answered the purpose of a depot for the past three years were removed, which gives the surroundings a clean appearance.

Custom Officers Stishes and Overlock, rounded up eight horses, which are alleged to have been smuggled across the border. This morning they took in custody a Mexican who is alleged to have been doing a "land office" business in that line.

According to the activity of the Live Stock Sanitary Board, that old institution will have had sledding before the legislature this spring. Originally the "board" was created to put an end to cattle rustling, this it is claimed, has been done so effectively, that it has placed the cattle industry on the basis of a few powerful corporations, and has made life a burden to the man with a small herd, with their arbitrary laws and self made regulations. All this must be changed is the dictum. Under the law as it is at present, an inspector who is appointed by the "board," can seize anyone's cattle, drive them before a justice of the peace, get out papers of some kind condemning the animals as stolen property. The party from whom the stock was taken is put to the trouble of hiring a lawyer, and bringing to town his witnesses in order that he may prove that he is the rightful owner, even though the stock are his.

The election of inspectors by popular vote, likewise the secretary of the board, abolition of the brand tax and the repeal of all laws wherein the defendant has to prove his innocence of cattle rustling when so charged by inspectors who happen to take a dislike to him, or who happen to own some good watering place that a covetous cattle company are desirous of acquiring. Of all arrests for the so-called violations of the live stock laws in Cochise county, and there have been in the neighborhood of a hundred, but one conviction has been obtained, the same is said of Santa Cruz county. All of which the taxpayers are sick and tired of.

JOE BUSH.

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frozen water pipes by electricity, proved to be a boom for the Prescott people. Two outfits have been busy opening clogged mains for the last few days and the water famine is over.

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